

## REMARKS

Applicants are amending dependent Claims 55-58 to delete the feature that the luminescent material is interposed between said cathode and said anode as that feature is already recited in independent Claims 13, 34, 39 and 44.

Applicants have the following response to the Advisory Action of November 15, 2005 and the Final Rejection of June 21, 2005.

### Entry of Amendment

As Applicants are filing a RCE herewith, it is respectfully submitted that this amendment should be entered and considered by the Examiner at this time.

### Claim Rejections - 35 USC §103

In the Final Rejection, the Examiner has the following rejections under 35 USC §103(a), which the Examiner maintains in the Advisory Action:

- A. Claims 1-4, 6, 13-16, 18, 30-33 and 49-55 as being unpatentable over Beesely (US 5,400,047) in view of Terao et al. (US 6,133,581)
- B.
- C. Claims 34-37 and 56 as being unpatentable over Beesely in view of Terao and further in view of Kusunoki et al. (US 6,570,321).
- D. Claim 38 as being unpatentable over Beesely in view of Terao in further view of Kusunoki, in further view of Codama et al. (US 6,037,712)
- E. Claims 39, 40-42, 44-47, 57 and 58 as being unpatentable over Beesely in view of Terao in further view of Kusunoki, in further view of Yokoi et al. (US 5,962,970).
- F. Claims 43 and 48 as being unpatentable over Beesely in view of Terao in further view of Kusunoki, in further view of Yokoi, in further view of Codama.

Each of these rejections is respectfully traversed.

More specifically, each of these rejections relies upon a combination of Beesely and Terao. As explained in depth below, the combination of these references to arrive at the claimed invention is flawed and improper.

Independent Claim 1 recites at least one wiring interposed between the insulator and the anode, while independent Claims 13, 34, 39, 44, and 49 recite first wiring and second wiring interposed between the insulator and the anode. The Examiner admits that these features are not disclosed by Beesely.

As a result, in the Final Rejection, the Examiner cites Fig. 8 in Terao and contends that Terao shows that a light emitting apparatus having a wiring on the edge of an anode in a configuration similar to Beesely can also be positioned between the insulator and the anode and “is a matter of design choice which will allow for different manufacturing methods which can meet different manufacturing requirements”. Applicants respectfully disagree that this is merely a matter of design choice.

In the claimed invention, an insulating film is provided over the edge of the anode so as to not contact the wiring with the luminescent material. Applicants have discovered that the area in which the anode overlaps with the insulating film can be less wherein the wiring is positioned under the anode (see e.g. Figs. 7C and 7D) than where the wiring is positioned over the anode (see e.g. Figs. 7A and 7B). Applicants discovered that by covering the anode with the wiring (as in Figs. 7A and 7B), the effective anode area becomes small. Further, the effective anode area becomes smaller by covering the wiring with the insulating film. Applicants discovered that a more effective light-emitting area of a pixel can be obtained by using the claimed invention and having at least one wiring interposed between the insulator and the anode or having first wiring and second wiring

interposed between the insulator and the anode (as in Figs. 7C and 7D of the present application) as opposed to the structure in Figs. 7A and 7B. Hence, the positioning of the wiring is not a matter of design choice, and the Examiner needs to take into consideration that a more effective light-emitting are of the pixel is achieved with the claimed structure.

MPEP §2143.01 states “the mere fact that references can be combined or modified does not render the resultant combination obvious unless the prior art also suggests the desirability of the combination. In this case, Terao does not suggest the desirability of the structure in Fig. 8c. Therefore, this basis by the Examiner for combining references is flawed and improper.

The Examiner also contends in the Final Rejection that “it would have been obvious to one having ordinary skill in the art at the time of the invention was made to construct the light emitting apparatus of Beesely with the wiring configuration of Terao to allow for a more modular device which can be manufactured differently to accommodate specific manufacturing equipment.” Applicants respectfully submit that the Examiner’s combination of references to arrive at the claimed invention is improper.

MPEP §2143.01 also states that “Obviousness can only be established by combining or modifying the teachings of the prior art to produce the claimed invention where there is some teaching, suggestion, or motivation to do so found either explicitly or implicitly in the references themselves or in the knowledge generally available to one of ordinary skill in the art.” The Examiner has not met this burden in his alleged motivation to combine references.

More specifically, Applicants could find no disclosure in either Beesely nor Terao of the Examiner’s alleged motivation that “it would have been obvious to one having ordinary skill in the art at the time the invention was made to construct the light emitting apparatus of Beesely with the

wiring configuration of Terao to allow for a more modular device which can be manufactured differently to accommodate specific manufacturing equipment.” Fig. 8c and Fig 8e of Terao, cited by the Examiner in the Advisory Action, are different only in the order of forming the wiring and the anode, and the order of Fig. 8c should not limit the manufacturing equipment for the light emitting apparatus of Beesely. It is respectfully submitted that the wiring configuration is not related to whether or not it accommodates specific manufacturing equipment. Hence, the motivation that the Examiner contends is the basis for combining Terao and Beesely to arrive at the claimed invention is based on impermissible hindsight and is improper. Hence, the Examiner has failed to provide the necessary teaching or motivation to combine references, and the rejection based thereon is improper.

In addition, in order to advance the prosecution of this application, Applicants have amended dependent Claims 55-58 and added new dependent Claims 59 and 60 to recite the feature that the insulation does not contact the luminescent material. Applicants respectfully suggest that this feature is not disclosed or suggested by Terao or any of the other cited references.

Accordingly, for at least the above-stated reasons, it is respectfully submit that the rejection of the claims are flawed and improper, and the claims are patentable. Therefore, it is respectfully requested that these rejections be withdrawn.

### Conclusion

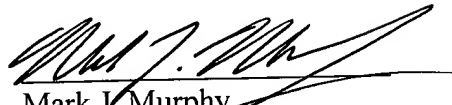
It is respectfully submitted that the present application is in a condition for allowance and should be allowed.

If any fee should be due for the new claims or if any further fee should be due for this amendment, please charge our deposit account 50/1039.

Favorable reconsideration is earnestly solicited.

Respectfully submitted,

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